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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,996	10/18/2001	Dorothea Kuettner	10011035	1545

7590 10/24/2005

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EXAMINER	
BOYCE, ANDRE D	

ART UNIT	PAPER NUMBER
3623	

DATE MAILED: 10/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/045,996	KUETTNER ET AL	
	Examiner	Art Unit	
	Andre Boyce	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 October 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-20 have been examined.

Claim Objections

2. Claim 10 is objected to because of the following informalities: The term "products" is repeated twice. Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 14 recites the limitation "the scenario properties". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adler (US 2002/0169658), in view of Lindell (USPN 6,622,056).

As per claim 8, Adler discloses a method for performing alternative supply chain analysis (i.e., strategy model and analysis tool, including a spreadsheet application that apply predefined macros, ¶ 0033) comprising the steps of: b) classifying and naming the objects flowing through the supply chain (i.e., modeling environment specifies the information in terms of object model, comprising object classes, ¶ 0082); c) building a supply chain model (i.e., modeling industrial markets in terms of businesses broken down into buyer, seller, and trade categories, ¶ 0077); d) inputting data to said model (i.e., sliders and windows that enable users to specify the domain, ¶ 0086); and, e) designing at least one supply chain scenario (i.e., plurality of scenarios 12, ¶ 0073). Adler does not explicitly disclose classifying and naming nodes in a supply chain. Lindell discloses the path from the point of origin to the point of consumption of goods in a supply chain comprising several nodes, including producers, wholesalers, and distributors (figure 1 and column 3, lines 37-42). Both Adler and Lindell are concerned with analyzing and modeling control of products in a supply network, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include classifying and naming nodes in Adler, as seen in Lindell, thus allowing the network to be applicable to supply chains of arbitrary length and levels, as

disclosed in Lindell (column 4, lines 15-17), making the Adler system more robust and flexible.

As per claim 9, Adler does not disclose said nodes are classified as parts sources, internal demand nodes and terminal demand nodes. Lindell discloses the path from the point of origin to the point of consumption of goods in a supply chain comprising several nodes, including producers, wholesalers, and distributors (figure 1 and column 3, lines 37-42). Further, Lindell discloses a supplier means 31, connected to a customer means 32, connected to a customer's customer means 33 (column 4, lines 3-7). Both Adler and Lindell are concerned with analyzing and modeling control of products in a supply network, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include nodes classified as parts sources, internal demand nodes and terminal demand nodes in Adler, as seen in Lindell, thus allowing the network to be applicable to supply chains of arbitrary length and levels, as disclosed in Lindell (column 4, lines 15-17), making the Adler system more robust and flexible.

As per claim 10, Adler discloses said objects flowing through the supply chain are classified as products, product forms and parts (i.e., non-autonomous objects, including products and services, ¶ 0073).

As per claim 11, Adler discloses said supply chain scenario is designed using an interactive symbolic visual interface (i.e., GUI enabling users to control and monitor the system, ¶ 0085).

As per claim 12, Adler discloses said interactive symbolic visual interface comprises interactive node icons and interactive connection element icons (i.e., pixel icon representing buyer, seller, trader in display window, table 9).

As per claim 13, Adler does not disclose said interactive node icons represent parts sources, internal demand nodes and terminal demand nodes. Lindell discloses the path from the point of origin to the point of consumption of goods in a supply chain comprising several nodes, including producers, wholesalers, and distributors (figure 1 and column 3, lines 37-42). Further, Lindell discloses a supplier means 31, connected to a customer means 32, connected to a customer's customer means 33 (column 4, lines 3-7). Both Adler and Lindell are concerned with analyzing and modeling control of products in a supply network, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include nodes classified as parts sources, internal demand nodes and terminal demand nodes in Adler, as seen in Lindell, thus allowing the network to be applicable to supply chains of arbitrary length and levels, as disclosed in Lindell (column 4, lines 15-17), making the Adler system more robust and flexible.

As per claim 14, Adler discloses the scenario properties are altered using a visual display-pointing device in association with the icons (i.e., GUI is used to select the domain model, scenario and decision option to be loaded into the system, ¶ 0092).

As per claim 7, Adler discloses more than one supply chain (i.e., allowing businesses to adopt different roles with respect to trade items in different marketplaces, ¶ 0037).

Claims 1-6 and 15-20 are rejected based upon the rejection of claims 8-13, since they are the system and computer readable medium claims, respectively, corresponding to the method claims.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

-Dooley et al (US 2004/0015418) disclose a site data appliance connected to a supply chain network.

-Bellini et al (USPN 5974395) disclose a system for extended enterprise planning across a supply chain.

-Shum (US 2003/0009507) disclose complex and integrated application performance management.

-Gil et al (US 2002/0188513) disclose reporting in a supply chain involving an enterprise.

-Starr et al (USPN 6947905) disclose displaying planning information associated with a supply chain.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre Boyce whose telephone number is (571) 272-6726. The examiner can normally be reached on 9:30-6pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

adb
October 14, 2005

TARIQ R. HAFIZ
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